

2026 South Dakota Legislature

House Bill 1143

**AMENDMENT 1143A
FOR THE INTRODUCED BILL**

1 **An Act to authorize the possession and self-administration of ~~nasal glucagon~~
2 diabetes medications by a student on school property and at school-related
3 events and activities.**

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 **Section 1. That § 13-32-10 be AMENDED:**

6 **13-32-10.** Terms used in this section and §§ 13-32-11 to 13-32-13, inclusive,
7 mean:

8 (1) "Medication," an inhaled bronchodilator ~~or~~, auto-injectable epinephrine, ~~or~~ both
9 nasal glucagon insulin, or other diabetes medication;

10 (2) "Parent," any person standing in parental relation; and

11 (3) Related equipment and supplies, medical equipment and supplies necessary for
12 a student's management and treatment of diabetes; and

13 (4) School, any public or nonpublic school;

14 (4) Self-administration of prescription medication, a student's discretionary use of
15 prescription asthma or anaphylaxis medication, or both.

16 **Section 2. That § 13-32-11 be AMENDED:**

17 **13-32-11.** Any student ~~with asthma or anaphylaxis~~ may possess and self-
18 administer prescription medication, and possess and use related equipment and supplies,
19 while on school property or at a school-related event or activity only if:

20 (1) The student has been diagnosed with asthma, anaphylaxis, or diabetes, by a
21 licensed health care provider;

22 (2) The prescription medication has been prescribed for that student as indicated by
23 the prescription label on the medication, or by a prescriber's school orders;

(2) The self-administration is done in compliance with the prescription or written instructions from the student's physician or other licensed health care provider, and

(3) A parent of the student The student's parent provides to the school:

- (a) Written authorization, signed by the parent, for the student to self-administer the prescription medication, and possess and use related equipment and supplies, while on school property or at a school-related event or activity; and
- (b) A written statement, signed by the parent, in which the parent releases the school district or nonpublic school and its employees and agents from liability for an injury arising from the student's self-administration of prescription medication, or possession or use of related equipment and supplies, while on school property or at a school-related event or activity, unless in cases of wanton or willful misconduct;

(e) (4) A written statement from, signed by the student's physician or other licensed health care provider, signed by the physician or provider, is provided to the school that states:

- (i) (a) The student has been diagnosed, by a licensed health care provider, with asthma or, anaphylaxis or both, or diabetes, and the student is capable of self-administering and managing the prescription medication;
- (i) (b) The name and purpose of the medication;
- (i) (c) The prescribed dosage for the medication;
- (i) (d) The times at which or circumstances under which the medication may be administered; and
- (i) (e) The period for which the medication is prescribed; and
- (f) The types of related equipment and supplies the student is permitted to possess and use, if applicable.

The physician's or provider's statement must be kept on file in the office of the school nurse of the school the student attends or, if there is not a school nurse, in the office of the principal of the school the student attends retained in the student's educational record maintained by the school.